IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

Crl.Rev.Pet.No. 2393 of 2007()

CRA.310/2003 of ADDL. SESSIONS COURT (ADHOC)II, KASARAGOD
CC.979/1997 of JUDL.MAGISTRATE OF FIRST CLASS-I, HOSDRUG

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REVN. PETITIONER: APPELLANT/ACCUSED

KUNHIKANNAN, S/O KUNHIKARICHI,
RESIDING AT OZHINHAVALAPPU,
P.O.OZHINHAVALAPPU, KANHANGAD VILLAGE.

BY ADV. SRI.M.THAMBAN
SMT.T.SUDHAMANI

RESPONDENTS: RESPONDENT/COMPLAINANT AND STATE

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1. N.P.SAINUDEEN, S/O C.H.AHAMMAD,
RESIDING AT PADNEKKAD, P.O.PADNEKKAD,
HOSDURG TALUK.

2. THE STATE OF KERALA REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 15/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.2393 of 2007

Dated this the 15th day of June, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a compensation of Rs.2,10,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for two months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. Revision petitioner is granted six months' time from today onwards to remit the compensation amount. He shall appear before the Judicial First Class Magistrate Court-I, Hosdurg on15.12.2007 to receive the sentence. Non bailable warrant pending, if any, shall be kept in abeyance till 15.12.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl